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TO RUEHAH/AMEMBASSY ASHGABAT PRIORITY 1767-1769
RUEHLM/AMEMBASSY COLOMBO PRIORITY 6212-6214
RUEHKA/AMEMBASSY DHAKA PRIORITY 1978-1980
RUEHDBU/AMEMBASSY DUSHANBE PRIORITY 1460-1462
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 4527-4529
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 7623-7625
RUEHNT/AMEMBASSY TASHKENT PRIORITY 1603-1605

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SENSITIVE

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SUBJECT: SCA: INSTRUCTIONS FOR 2009 TIP INTERIM ASSESSMENT

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1.(U) This is an action cable; action request in paras 5 and [16](#).

2.(SBU) The Trafficking Victims Protection Act, as amended in 2003, requires the Secretary of State to submit a "Special Watch List" of countries on the TIP Report that either 1) had moved up a tier on the TIP Report over the last year or 2) were ranked on Tier 2 but a) had not shown evidence of increasing efforts to address severe forms of TIP from the previous year, b) were placed on Tier 2 because of commitments to carry out additional future actions over the coming year, or c) had a significant or significantly increasing number of victims of severe forms of TIP.

3.(SBU) The "Special Watch List" has been submitted to Congress, as required, along with the President's determinations for sanctions of Tier 3 countries. The TVPA, as amended, now requires the Secretary to submit to Congress an Interim Assessment on the Special Watch List countries no later than February 1, 2010.

4.(SBU) The Interim Assessment, which the Department plans to release on January 5, 2010, will serve as a narrowly-focused progress report, assessing only a country's key deficiency(s) highlighted in the June 2009 TIP Report. Measuring progress or lack of progress in addressing these deficiencies (the basis for which the country was placed on the Watch List initially) is the main purpose of the Interim Assessment. This will not/not serve as a large-scale analysis of anti-trafficking efforts in the relevant country. Similarly, it will not describe the trafficking problem in that country (readers can refer to the 2009 TIP Report for that). Finally, it will not mention Tiers or allude to progress in achieving a higher tier or, conversely, forecast a fall to a lower tier.

5.(U) Action Request for Action Addressees: Please answer the questions addressed to your Post in para 6 in concise analytical terms, citing examples of the progress (or lack thereof) sparingly. Post's submission should not exceed four or five paragraphs. The final Interim Assessment will include a narrative of no more than half a page on each country's progress. Please provide these responses to the Department via front-channel cable -- slugged for SCA/RA and G/TIP -- no later than November 16.

6.(U) Interim Assessment Requirements:

[1](#)A. FOR EMBASSY DHAKA: Please summarize the progress, or lack

thereof, the Government of Bangladesh has made in: a) integrating anti-labor trafficking objectives into national anti-trafficking policies and programs; b) significantly increasing criminal prosecutions and punishments for all forms of labor trafficking, including those involving fraudulent labor recruitment and forced child labor; c) continuing to investigate and prosecute government officials who may be suspected of complicity in trafficking; d) greatly improving oversight of Bangladesh's 700 international recruiting agencies to ensure they are not promoting practices that contribute to labor trafficking; and e) providing protection services for adult male trafficking victims and victims of forced labor. Please report on any other significant developments.

B. FOR EMBASSY NEW DELHI: Please summarize the progress, or lack thereof, the Government of India has made in: a) continuing to expand central and state government law enforcement capacity to conduct intrastate and interstate law enforcement activities against trafficking and bonded labor; b) considering expanding the Central Ministry of Home Affairs & nodal cell on trafficking to coordinate law enforcement efforts to investigate and arrest traffickers who cross state and national lines; c) significantly increasing law enforcement efforts to decrease official complicity in trafficking, including prosecuting, convicting, and punishing complicit officials with imprisonment; d) continuing to increase law enforcement

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efforts against sex traffickers, including prosecuting, convicting, and punishing traffickers with imprisonment; e) improving central and state government implementation of protection programs and compensation schemes to ensure that certified trafficking victims actually receive benefits, including compensation for victims of forced child labor and bonded labor, to which they are entitled under national and state law; and f) increasing the quantity and breadth of public awareness and related programs to prevent both trafficking for labor and commercial sex. Please report on any other significant developments.

C. FOR EMBASSY ISLAMABAD: Please summarize the progress, or lack thereof, the Government of Pakistan has made in: a) significantly increasing law enforcement activities, including adequate criminal punishment, against bonded labor, forced child labor, and fraudulent labor recruiting for purposes of trafficking; b) continuing to vigorously investigate, prosecute, and punish acts of government complicity in trafficking at all levels; and c) expanding victim protection services for victims of forced labor and sex trafficking. Please report on any other significant developments.

D. FOR EMBASSY COLOMBO: Please summarize the progress, or lack thereof, the Government of Sri Lanka has made in: a) vigorously investigating and prosecuting suspected trafficking offenses and convict and punish trafficking offenders, particularly those responsible for recruiting victims with fraudulent offers of employment and excessive commission fees; b) following through with the creation of the national anti-trafficking task force; c) developing and implementing through training of law enforcement personnel formal victim referral procedures; and d) ensuring that victims of trafficking found within Sri Lanka are not detained or otherwise penalized for unlawful acts committed as a direct result of their being trafficked. Please report on any other significant developments.

E. FOR EMBASSY DUSHANBE: Please summarize the progress, or lack thereof, the Government of Tajikistan has made in: a) vigorously investigating and prosecuting trafficking offenses, especially those involving labor trafficking, and convict and punish trafficking offenders with imprisonment;

b) ensuring better coordination between law enforcement and security institutions, particularly the State Committee on National Security; c) prosecuting and convicting government officials who participate in or facilitate trafficking in persons and ensure they serve time in prison; d) ensuring identified victims are not assaulted or re-victimized by government officials and ensure such allegations of assault are fully investigated and culpable offenders are prosecuted and criminally punished; e) providing financial or in-kind assistance to existing trafficking shelters; f) being directly involved in trafficking awareness campaigns, and ensuring that anti-trafficking information appears in government media outlets; g) prohibiting the forced or coerced labor of children and adults in the annual cotton harvest by monitoring school and university attendance, inspecting cotton fields during the harvest, and enforcing existing laws prohibiting the use of forced labor; h) making efforts to improve trafficking data collection and analysis; and i) developing a victim identification and referral mechanism. Please report on any other significant developments.

F. FOR EMBASSY ASHGABAT: Please summarize the progress, or lack thereof, the Government of Turkmenistan has made in: a) implementing the 2007 Law on the Battle Against Trafficking in Persons by completing revisions to the national criminal code to prescribe penalties for both sex and labor trafficking as defined in the 2007 Law on the Battle Against Trafficking in Persons; b) vigorously investigating, prosecuting, and convicting trafficking offenders; c) investigating individual instances of government officials complicit in the facilitation of trafficking d) providing victim identification, victim referral, and victim sensitivity training for border guards and police; e) providing financial assistance to anti-trafficking organizations assisting victims; f) continuing to expand and improve systematic victim identification and referral procedures; g) establishing safeguards and training procedures to ensure victims are not punished for acts committed as a direct result of trafficking, such as migration violations; and h) conducting a trafficking

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awareness campaign to inform the general public about the dangers of trafficking. Please report on any other significant developments.

G. FOR EMBASSY TASHKENT: Please summarize the progress, or lack thereof, the Government of Uzbekistan has made in: a) taking substantive action to end the use of forced labor during the annual cotton harvest; b) implementing the national anti-trafficking action plan; c) continuing to work with UNICEF and improve cooperation with ILO to reduce the reliance on forced labor during the annual cotton harvest; d) allowing international experts to conduct an independent assessment of the use of forced labor during the annual cotton harvest; e) investigating, prosecuting, convicting, and sentencing government officials complicit in trafficking; f) providing financial or in-kind support to anti-trafficking NGOs to provide assistance and shelter for victims; g) taking steps to establish additional shelters outside of Tashkent; h) and continuing efforts to improve the collection of law enforcement trafficking data. Please report on any other significant developments.

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